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Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

May 14, 2014

Patrick Collins, Resident Agent  
Mt. Nebo Scientific  
P.O. Box 337  
Springville, Utah 84663

Subject: Coarse Refuse Investigation, Wellington Preparation Facility, Price River Terminal, LLC, C/007/0012, Task ID #4575

Dear Mr. Collins:

The Division of Oil, Gas and Mining (the Division) has completed its review of the Coarse Refuse Investigation amendment. The Division has identified deficiencies that must be addressed prior to final approval. The deficiencies are provided as an attachment to this letter. The names of the individual staff members that have identified deficiencies have been provided should questions arise. The plans as submitted are denied.

The Division has formally requested a review of the chemical characteristics of the coarse refuse material from the Utah Division of Environmental Quality-Solid and Hazardous Waste (DEQ) and the Utah Division of Water Quality (DWQ). The requests were made in order to evaluate whether the coarse refuse material presents potential contamination issues relative to ground and surface waters of the State of Utah. Once the DEQ and DWQ complete their findings, the Division can then re-assess the proposed alternative use for the coarse refuse material.

The Division will notify you as soon as those findings are completed. Until such time, please refrain from resubmitting the amendment as those findings will have a direct bearing on the ultimate approval/rejection of the amendment.

If you have any questions, please don't hesitate to contact myself (801) 538-5350 or Daron Haddock (801) 538-5325.

Sincerely,

Steve Christensen  
Permit Supervisor

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## Technical Analysis and Findings

### Utah Coal Regulatory Program

**PID:** C0070012  
**TaskID:** 4575  
**Mine Name:** WELLINGTON PREPARATION PLANT  
**Title:** COARSE REFUSE INVESTIGATION

### Environmental Resource Information

#### Hydro Probable Consequences Determination

##### Deficiencies Details:

R645-301-728: Once the evaluation by the Division of Environmental Quality and the Division of Water Quality is completed, the Division will re-assess whether the submitted revisions to Section 7.28.3.2 Acid/toxic forming material contamination potential, is adequate.

schriste

### Operation Plan

#### Spoil Waste Coal Mine Waste

##### Deficiencies Details:

R645-301.536.600 and R645-3101.537.230; The permittee must provide the appropriate geotechnical investigation and stability analysis for the refuse material. Amendment should include design drawings and a narrative with details of construction, operation, maintenance, and removal of the material.

jowen

### Hydrologic Acid and Toxic forming Materials

##### Deficiencies Details:

The amendment does not meet the Acid- and Toxic-Forming Materials and Underground development Waste requirements of the State of Utah R645-Coal Mining Rules. The following deficiency must be addressed prior to final approval:

R645-301-731, -731.300 and 731.312: The Permittee must provide a commitment in the MRP as to how the coarse refuse material would be removed for its proposed alternative use as railroad base/fill (i.e. top down or otherwise). If the material is to be removed from the top of the pile down, the Permittee must provide a detailed commitment as to how and when additional sampling would be conducted on the bottom approximately 20' of material. The additional sampling would be required to demonstrate that the remaining coarse refuse material doesn't pose a potential contamination risk to ground and surface water. The commitment must address how the Permittee and Division inspectors would be able to readily identify, in the field, when additional sampling is required. If the material would not be removed from the top down, additional samples would need to be acquired to the full depth of the coarse refuse pile and submitted to the respective agencies for review

prior to final approval.

schriste

## Reclamation Plan

### Topsoil and Subsoil

#### *Deficiencies Details:*

R645-301-241, A commitment should be added to the redline statements made in Sec. 3.41 p. 41 to indicate that the final details of the reclamation plan will be confirmed with the Division prior to the onset of reclamation of the remaining pile or of the foot print of the pile.

pburton

## Revegetation General Requirements

#### *Deficiencies Details:*

This is not a deficiency per se but it should be note that once it is determined that conditional approval is appropriate the following language ""has been provided "" should be changed to ""has been approved"" in the first paragraph of the redline text on page 41 of the application.

jhefric